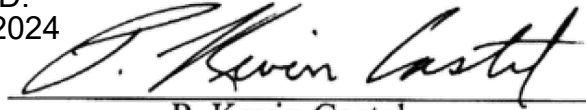


June 24, 2024

Mr. Brill correctly points out that Mr. Pinero's section 2255 motion was ruled on by the late Judge Pauley who resented Mr. Pinero. (ECF 738). The Order of June 12, 2024 (ECF 885) is VACATED. Motions at ECF 584 and ECF 886 should be terminated and case 16 Civ. 4956 should be closed.

SO ORDERED.

Dated: 6/25/2024



P. Kevin Castel

United States District Judge

Via ECF

Hon. P. Kevin Castel
United States District Judge
United States Courthouse
500 Pearl Street
New York, New York 10007

Re: *US v. Kevin Pinero*
11 Cr. 576 (PKC)

Dear Judge Castel:

The Court recently placed Mr. Pinero's 2016 2255 motion on the calendar at ECF # 885 for assignment of counsel and the government's response to Mr. Pinero's motion. I write to inform the Court that the 2255 motion was resolved in 2021.

I was assigned to Mr. Pinero's case in 2021 following his filing of this same 2255 motion when prior counsel withdrew from the case. The matter was fully briefed before Judge Pauley and Judge Pauley ruled on it and resented Mr. Pinero shortly before his untimely death. The resentencing proceedings can be found at ECF #s 679 through 738, with the resentencing at ECF # 738.

After consulting with AUSA Andrew Rohrbach, the government agrees with the above.

Thank you for your consideration.

Respectfully submitted,



Peter E. Brill